



BUSINESS MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, September 2, 2014
Lansing District Office
525 W Allegan
Lansing MI 48909

Present: Andrew J. Deloney, Chairman
Dennis Olshove, Commissioner

Absent: Teri L. Quimby, Commissioner

Staff: Julie Wendt, Director of Executive Services Division
Tom Hagan, Director of Enforcement Division
Steve Robinson, Director of Finance Division
Kerry Krone, Business Manager
Anita Fawcett, Executive Services Division

The meeting was called to order by Chairman Deloney at 11:05 a.m., noting a quorum was present.

- I. **Moved by Commissioner Olshove, supported by Chairman Deloney, that the minutes of the Commission meeting of August 26, 2014, be approved as written and presented, motion carried by unanimous vote.**
- II. Ms. Wendt presented a request for declaratory ruling received on August 4, 2014 from Dennis Bitterman, holder of Class C and Specially Designated Merchant licenses in Saginaw County, through Attorney Phillip L. Ellison of Outside Legal Counsel, under administrative rule R 436.1971. Ms. Wendt advised that this request for declaratory ruling concerns the applicability of MCL 436.1217(2), which requires the licensee to make the licensed premises available for inspection by a Commission investigator or a law enforcement officer when the premises are occupied by the licensee, or a clerk, servant, agent, or employee of the licensee. She indicated that the question posed is basically whether a law enforcement officer can be prohibited from entering licensed premises, except when having obtained a duly-issued search warrant, based upon previously alleged threats, harassment, and inappropriate actions by the law enforcement official. Ms. Wendt further advised that this issue is also the subject of a violation complaint, which is currently under appeal.

After a brief discussion on the issue, it was **Moved by Chairman Deloney, supported by Commissioner Olshove, that the request for a declaratory ruling be denied, motion carried by unanimous vote.**

III. Old Business.

There was no Old Business.

IV. New Business.

There was no New Business.

V. Public Comments.

There were no Public Comments.

With no further business, moved by Commissioner Olshove, supported by Chairman Deloney, that the business meeting be adjourned at 11:08 a.m., motion carried by unanimous vote.

Anita Fawcett
Executive Services

Andrew J. Deloney
Chairman